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PATENTS

Attorney Docket No. SYMYX/8 DIV CON

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Examiner : Tam M. Nguyen
Group Art Unit : 1764
In re application of : Yumin Liu
Application No. : 10/719,441 Confirmation No. : 2966
Filed : November 20, 2003
For : Ni CATALYSTS AND METHODS FOR ALKANE
DEHYDROGENATION

New York, New York
May 30, 2006

Mail Stop AF
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner in the final office action mailed November 29, 2005 in which the rejection of claims 109-116 was made final.

[] Applicants respectfully request an oral hearing before the Board of Appeals. The appropriate fee is submitted herewith.

[X] Address all correspondence to:

Pablo D. Hendler
Fish & Neave IP Group
Ropes & Gray LLP
1251 Avenue of the Americas
New York, NY 10020

06/01/2006 SHASSEN1 00000014 061075 10719441

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- ☐ A check in the amount of ☐ \$250.00 ☐ \$500.00 in payment of the ☐ appeal fee, ☐ appeal and oral hearing fees, is enclosed.
- ☒ Please charge ☐ \$250.00 ☒ \$500.00 to Deposit Account No. 06-1075, Order No. 003888-0017 in payment of the ☒ appeal fee, ☐ appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.
- ☒ The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075, Order No. 003888-0017. A duplicate copy of this Notice of Appeal form is enclosed.

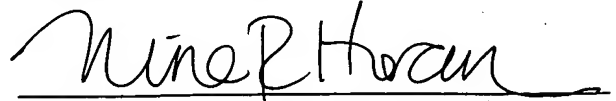
EXTENSION FEE

- ☒ Please grant a **three**-month extension of time under 37 C.F.R. § 1.136(a) to respond to the November 29, 2005 Final Office Action. With this extension, a Response is due on or before May 30, 2006 (May 29, 2006 being a holiday).
- ☒ The following extension fee is applicable to the Notice of Appeal filed herewith; ☐ \$120.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); ☐ \$450.00 extension fee for response within the second month pursuant to 37 C.F.R. § 1.136(a); ☒ **\$570.00*** extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,590.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); ☐ \$2,160.00 extension fee for fifth month pursuant to 37 C.F.R. § 1.136(a).
- ☒ Please charge the ☐ \$120.00; ☐ \$450.00; ☒ **\$570.00**; ☐ \$1,590.00; ☐ \$2,160.00; extension fee to Deposit Account No. 06-1075, Order No. 003888-0017. A duplicate copy of this Notice of Appeal form is enclosed.
- ☐ A check in the amount of ☐ \$120.00; ☐ \$450.00; ☐ \$900.00; ☐ \$1,020.00; ☐ \$1,590.00; ☐ \$2,160.00; in payment of the extension fee is transmitted herewith.

* Applicant has previously paid \$450.00 for a two-month extension of time fee in a paper filed April 27, 2006. Therefore, applicant is paying the balance of \$570.00 (\$1,020.00 - \$450.00) for a three-month extension of time fee.

- [X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075, Order No. 003888-0017. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nina R. Horan", written over a horizontal line.

Pablo D. Hendler (Reg. No. 40,015)

Nina R. Horan (Reg. No. 47,662)

Attorneys for Applicant

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